

**AO 92-001**



**NORTH CAROLINA BOARD OF ETHICS**

116 WEST JONES STREET  
RALEIGH 27603-8003  
(919) 733-5103

June 10 , 1992

Mr. Andrew S. Holt III  
President, Laser Technologies of the  
Triangle Inc.  
5616 Walkers Farm Road  
Hillsborough, North Carolina 27278  
Dear Mr. Holt:

K D KENNEDY, JR..  
CHAIRMAN

We have considered the information contained in your letter of June 3, 1992.

We noted that as a board member you would not be involved in hiring or firing employees, and would not have any responsibility for purchasing services and supplies for any state agency. Also, you should not solicit any business with the Governor Morehead School or the Division of Services for the Blind.

However, under certain circumstances, it would not be a conflict of interest for the two agencies to purchase from Laser Technologies of the Triangle Inc. We noted that Laser Technologies is on the approved list of vendors by the State of North Carolina. If there are any items or services that you sell to the State that are not tied down to a specific contract price, the State is required to get three (3) competitive quotes. If you accept business from the agencies where you are on the board and have influence and the agencies did not obtain the quotes then you will have a conflict of interest.

For example, you say in paragraph three (3) of your letter, "As they have a need for the product they simply place an order and if we receive that order we try to fill it promptly." The Board of Ethics is saying that unless these "items" are on the state contract with your company at a certain price level, or unless the agencies get three (3) arms length, competitive quotes, you will have a conflict of interest.

If you follow this simple rule you will not have a conflict of interest. Also, there will be no question even as to an appearance of conflict to any reasonable observer.

Sincerely,

K. D. Kennedy, Jr.  
Chairman

June 3, 1992

North Carolina Board of Ethics

116 West Jones St.

Raleigh, NC 27603

Ladies and Gentlemen:

Laser Technologies of the Triangle Inc. wishes to do business with the Governor Morehead School and the Division of Services for the Blind. I, Andrew S. Holt III, am chairman of the board of directors for the Governor Morehead School and I also serve on the board of the North Carolina Commission for the Blind. Neither board has any power to hire or fire, or have anything to do with purchasing.

Ms. Victoria Voight, an attorney with the Attorney General's office, has the Governor Morehead School as one of her clients and I spoke with her on the 'phone May 27, 1992. Ms. Voight said she would be glad to speak with any of you to answer any questions you may have. She said also that a written response could be given on request.

Laser Technologies of the Triangle Inc. is a disabled-owned company certified by the state of North Carolina. We remanufacture cartridges for laser printers. This remanufacturing process is done by disabled workers at Wake Enterprises. We are on the approved list of vendors by the state of North Carolina. We have no direct or indirect contact with the purchasing officers for these departments. As they have a need for the product they simply place an order and if we receive that order we try to fill it promptly.

We sincerely believe that there is no conflict of interest in our doing business with these departments and we will appreciate your attention to and decision on this matter. If you have any questions, please call me at either 919 732-7352 or 919 490-2048.

Sincerely,

Andrew S. Holt III President, Laser Technologies of the  
Triangle Inc.